

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KAREN GUERTIN,

2:11-CV-985 JCM (RJJ)

Plaintiff,

V.

BANK OF AMERICA NA, et al.,

Defendants

ORDER

15 Presently before the court is the matter of *Guertin v. Bank of America N.A. et al.* (Case No.
16 2:11-cv-985-JCM-RJJ).

17 Federal Rule of Civil Procedure 4(m) provides: “If a defendant is not served within 120 days
18 after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must
19 dismiss the action without prejudice.”

20 Plaintiff filed a complaint on June 15, 2011. (Doc. # 1). Pursuant to Federal Rule of Civil
21 Procedure 4(m), on August 28, 2012, the clerk of the court provided notice to plaintiff that the action
22 would be dismissed if plaintiff did not file proof of service of process by September 27, 2012. (Doc.
23 # 20).

24 To date, plaintiff has failed to file proof of service with the court as to all defendants.

25 | . . .

26

27

28

1 || Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the above-captioned case
3 be, and the same hereby is, DISMISSED without prejudice.

4 DATED October 4, 2012.

Xenia C. Mahan
UNITED STATES DISTRICT JUDGE